

Notice of Allowability

Application No.

09/982,291

Examiner

Gelek Topgyal

Applicant(s)

OKAMOTO ET AL.

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 2/6/2007 and Interview dated 4/23/2007.
2. ☒ The allowed claim(s) is/are 16-19, 23 and 41 (renumbered as 1-6).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 4/23/2007.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Leonid Thenor on 4/23/2007.

The application has been amended as follows:

Claims 20-22, 24-29, 42 and 50-54 have been cancelled.

2. The following is an examiner's statement of reasons for allowance:

Independent claim 16 recites the uniquely distinct feature for "said copy permission period specifying a predetermined time period for permitting said digital information recorded on said first recording medium to be copied and recorded only once from said first recording medium onto a second recording medium different from said first recording medium after recording of said digital information on said first recording medium" and "said move permission information permitting said digital information to be moved to said second recording medium on the premise that at least a part of said digital information on said first recording medium is disabled for playback, even when said digital information is inhibited from being copied and recorded from said first recording medium onto a second recording medium different from said first recording medium"; **Independent claim 17** recites the uniquely distinct feature for "said digital

information including information of a copy permission period specifying a predetermined time period for permitting said digital information to be played back and recorded only once from said first recording medium to a second recording medium different from said first recording medium after recording of said digital information on said first recording medium” and “said digital information further including move permission information for permitting said digital information to be moved to said second recording medium on the premise that at least a part of said digital information on said first recording medium is disabled for playback, even when said digital information is inhibited from being copied and recorded from said first recording medium onto a second recording medium different from said first recording medium”; **Independent claim 41** recites the uniquely distinct feature for “said copy permission period specifying a predetermined time period for permitting said digital information to be only once copied and recorded onto a second recording medium different from said first recording medium following recording of said digital information on said first recording medium” and “said move permission information permitting said digital information to be moved to said second recording medium on the premise that at least a part of said digital information on said first recording medium is disabled for playback, even when said digital information is inhibited from being copied and recorded from said first recording medium onto a second recording medium different from said first recording medium””.

The closest prior art, Ichimura et al (US 6,034,832), Kuroda (US 6,707,774), Kuno et al (US 6,584,552) and Kawara et al. (US 6,278,836) teach systems that allow restriction

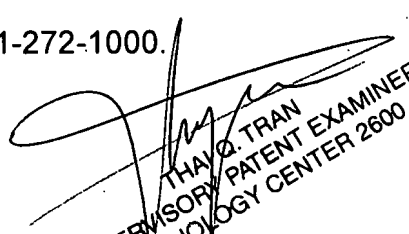
periods for reproduction and copying of video materials, either singularly or in combination, fail to anticipate or render the above underlined limitations obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gelek Topgyal whose telephone number is 571-272-8891. The examiner can normally be reached on 8:30am -5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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